



1459 '99 MAR 24 AIO:21

March 17, 1999

Dockets Management Branch (HFA-305)  
Food and Drug Administration  
5630 Fishers Lane  
Room 1061  
Rockville, MD 20852  
[Docket No. 98P-0504]

To Whom It May Concern:

I wish to hereby state my objection to the petition by the Center For Science In The Public Interest to "require that shellfish sold for raw consumption be free of the bacteria, called *Vibrio vulnificus*." The petition goes on to indicate that treatment is available to eradicate the bacteria; citing 89 deaths since 1989, and a danger for "one in nine Americans with certain medical conditions."

While there is a human health risk associated with the consumption of raw molluscan shellfish harvested from any waters, the risk is negligible. Statistics do not bear out the "one-in-nine" risk referenced in the petition. The actual risk is less than that associated with driving an automobile, walking inner-city streets, boating, etc. I believe our charge in the Interstate Shellfish Sanitation Conference (ISSC) is to foster a system that establishes a minimal, acceptable risk, and provides constructive notice to the public regarding that risk. I do not believe it is the charge of the Federal Government to attempt to make life risk-free (an impossible and invasive undertaking).

Additionally, I strongly object to the lack of due process, as represented by the petition. This is clearly a matter for the ISSC to address.

Please contact me at 302-739-4590 if you have any questions.

Thank you for your attention to this matter.

Regards,

A handwritten signature in cursive script, appearing to read "Jack Pingree".

Jack Pingree  
Manager  
Shellfish and Recreational Water Branch  
State of Delaware

98P-0504

C5

cc: Ken Moore, ISSC Executive Director  
Mark Bryan

STATE OF DELAWARE  
DEPARTMENT OF NATURAL RESOURCES  
AND ENVIRONMENTAL CONTROL

DIVISION OF WATER RESOURCES  
WATERSHED ASSESSMENT SECTION  
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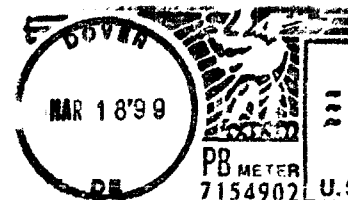
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DOCKETS MANAGEMENT BRANCH  
(HFA-305)  
FOOD AND DRUG ADMINISTRATION  
5630 FISHERS LANE  
ROOM 1061

ROCKVILLE MD 20852

(DOCKET NO 98P-0504)

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